

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 1, 2015

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-14-1058](#). James Cox v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed. Glover and Hoofman, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-14-645](#). XTO Energy, Inc., and Gilbert W. Tarver and Barbara Cook v. Marshall Ray Thacker and Elena Marie Thacker, as Trustees of the Thacker Family Revocable Living Trust, Dated April 25, 1992, et al., from Van Buren County Circuit Court. Affirmed in part; reversed and remanded in part. Vaught and Hixson, JJ., agree.

BART F. VIRDEN, JUDGE:

[E-14-623](#). Sunshine Academy/First Pentecostal Church of Bryant v. Artee Williams, Director, Department of Workforce Services Employer Contributions Unit, from the Arkansas Board of Review. Reversed. Harrison and Hixson, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-14-178](#). Victoria Pedraza v. State of Arkansas, from Drew County Circuit Court. Affirmed. Whiteaker and Vaught, JJ., agree.

[CV-14-955](#). Pulaski County Special School District and Arkansas School Boards Association v. Jeremy Laster, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Hixson, JJ., agree.

M. MICHAEL KINARD, JUDGE:

[CV-14-819](#). Johnny Hinchey, Searcy County Judge v. Duford Taylor, Rosalee Taylor, Jim Taylor, Corrine Taylor, Brent Taylor, and Robin Taylor, from Searcy County Circuit Court. Affirmed. Abramson and Vaught, JJ., agree.

[CV-14-1055](#). James Cooper v. Arkansas Department of Human Services, from Jackson County Circuit Court. Affirmed; motion to withdraw granted. Abramson and Vaught, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CV-14-748](#). Florida Oil Investment Group, LLC v. Goodwin & Goodwin, Inc., from Sebastian County Circuit Court, Fort Smith District. Reversed and remanded. Whiteaker, J., agrees. Brown, J., concurs.

DAVID M. GLOVER, JUDGE:

[CR-14-519](#). Donnie Fronterhouse v. State of Arkansas, from Washington County Circuit Court. Reversed and remanded. Virden and Gruber, JJ., agree.

[CR-14-652](#). Lasette McDougal v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Gladwin, C.J., and Hoofman, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-14-890](#). Daren Cason and Dorothy Pauline Cason v. Gladys Lambert, from Ashley County Circuit Court. Affirmed. Gruber and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-843](#). Butler & Cook, Inc. v. Ozark Warehouses, Inc., d/b/a Corrugated Specialties, from Sebastian County Circuit Court, Fort Smith District. Reversed and dismissed. Abramson and Kinard, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-14-902](#). William Paul Barron, Jr. v. Mendy Lynn Barron, from Boone County Circuit Court. Affirmed. Virden and Harrison, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CV-14-863](#). Renita Johnson Fennell and Earl Edward Burnley v. City of Pine Bluff and Larry Reynolds, from Jefferson County Circuit Court. Appeal dismissed without prejudice. Gladwin, C.J., and Glover, J., agree.

WAYMOND M. BROWN, JUDGE:

[CR-13-917](#). Omar Griffis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Gruber and Whiteaker, JJ., agree.

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PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

E-14-670. Sherri Smith v. Director et al.

E-14-671. Toni Sellers v. Director et al.

E-14-672. Bradley Dyess v. Director et al.

E-14-673. Suzanne Ward v. Director et al.

E-14-674. Matthew Deadmon v. Director et al.

E-14-675. Mandolinn Gray v. Director et al.

E-14-676. Richard Nichols v. Director et al.

E-14-677. Janelyn Roberts v. Director et al.

E-14-678. Bobby Postoak v. Director et al.

E-14-679. Nadine Wilson v. Director et al.

E-14-680. Thu Nguyen v. Director et al.

E-14-681. April Flowers v. Director et al.

E-14-682. Shana Naff v. Director et al.

E-14-683. Joshua Williams v. Director et al.

E-14-684. Angela Martin v. Director et al.

E-14-685. Mary Jorden v. Director et al.

E-14-686. Robert Alexander v. Director et al.

E-14-687. Geneva Vaughn v. Director et al.

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E-14-688. Bryant Joyner v. Director et al.

E-14-689. Sherry Harris v. Director et al.

E-14-690. Crystal Washington v. Director et al.

E-14-691. Wildlife Farms v. Director et al.

E-14-692. Odis Prunty v. Director et al.

E-14-693. Steve West v. Director et al.

E-14-694. Rick Bennett v. Director et al.

E-14-695. Ashley Markham v. Director et al.

E-14-699. Quality Industrial Construction, LLC v. Director et al.

E-14-700. Sheila Lyles v. Director et al.

E-14-701. Patricia Tenner v. Director et al.

E-14-702. Nirvonna King v. Director et al.

E-14-703. Randy Edgin v. Director et al.

E-14-704. Kenneth Quarles v. Director et al.

E-14-705. Danielle Evans v. Director et al.

E-14-706. Darrell Robinson v. Director et al.

E-14-707. Ebony Henderson v. Director et al.

E-14-708. Jeffery Miller v. Director et al.

E-14-709. Jack Debose v. Director et al.

E-14-710. Paul Vinsant v. Director et al.

E-14-711. Tammy Taylor v. Director et al.

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E-14-712. Thomas Jones v. Director et al.

E-14-713. Betty Gilliam v. Director et al.

E-14-714. Anita Turner v. Director et al.

E-14-715. Leatha Washington v. Director et al.

E-14-717. Stephen Tyler v. Director et al.

E-14-719. Burla Bullock v. Director et al.

E-14-720. Christy Bell v. Director et al.

E-14-722. Tabitha Bunch v. Director et al.

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PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CR-13-836. Donnie Ray Slater v. State of Arkansas, from Arkansas County Circuit Court, Southern District.

CV-14-575. James M. Guthrie v. Vicki P. Guthrie, from Pulaski County Circuit Court, Twelfth Division.

CV-14-631. City of Siloam Springs, Arkansas v. La-De, LLC (s/k/a De-La, LLC), Larry Muruaga and Kathy Muruaga, Husband and Wife, et al., from Benton County Circuit Court.

CR-13-491. Nicholas Burris v. State of Arkansas, from Union County Circuit Court. Motion of N. Mark Klappenbach for attorney's fees is granted. Allowed \$1,600.00.

CR-13-836. Donnie Ray Slater v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Pro se motion for copies at public expense is denied.

CR-14-216. Clint Beavers v. State of Arkansas, from Garland County Circuit Court. Motion of Patrick J. Benca for attorney's fees is granted. Allowed \$1,800.00.

CR-14-349. Jamaal Dulane Simpson v. State of Arkansas, from Benton County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,600.00.

CR-14-420. A.D. v. State of Arkansas, from Benton County Circuit Court. Motion of Jennifer Williams Flinn for attorney's fees is granted. Allowed \$1,800.00.

CR-14-444. Julian Austin Calfy v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Jason Andrew Jouett for attorney's fees is granted. Allowed \$1,800.00.

CR-14-444. Julian Austin Calfy v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Jason Andrew Jouett to be relieved as attorney for appellant is granted.

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PER CURIAM ORDERS

CR-14-678. Calvin Tatum v. State of Arkansas, from Monroe County Circuit Court. Appellant's motion to supplement the record is granted. Abramson, J., not participating.

CR-14-681. Crystal Joy Scott-Paxson v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,800.00.

CR-14-849. Demetrious Flowers v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Paul J. Teufel for attorney's fees is granted. Allowed \$1,600.00.

CR-14-851. Kirk Alan Clark v. State of Arkansas, from Washington County Circuit Court. Motion of Charlene Davidson Henry for attorney's fees is granted. Allowed \$1,800.00.

CV-14-218. Southern Farm Bureau Casualty Insurance Company v. Stuart Parsons, from Pulaski County Circuit Court, Seventeenth Division. Appellee's petition for attorney's fees and costs on appeal is denied.

CV-14-593. Nasser Filat v. Jim Rand; Rand Properties I, LLC; Subway Real Estate Corporation; and Doctors Associates, Inc., from White County Circuit Court. Appellant's motion for consideration of oral argument is denied.

CV-14-673. Nabholz Construction Corporation and St. Paul Travelers Insurance Company v. Bradley White and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Motion of appellee Bradley White for approval of attorney's fees is granted.

CV-14-862. Luis Rodriguez v. Stellar Management Group IV, Inc., d/b/a QSI and American Zurich Insurance Company, from the Arkansas Workers' Compensation Commission. Pro se motion for extension of brief time is denied.

CV-14-884. T.E. v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for rule on clerk, or, in the alternative, motion to file belated brief. Motion to file belated brief is granted.

CV-15-15. Betsy R. Danner v. Discover Bank, from Clark County Circuit Court. Motion to dismiss appeal or to require appellant to file a compliant abstract, brief and addendum; to require appellant to post a bond for costs; and to advance and affirm pursuant to Rule 6-2 is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-14-265. DLC Properties, LLC, d/b/a Twin Lakes Plaza, LLC v. Carmike Cinemas, Inc., and Eastwynn Theatres, Inc., from Baxter County Circuit Court.

CV-14-337. Oksana G. Hackney v. Josh Hackney, from Pulaski County Circuit Court, Fourteenth Division.

CV-14-638. Jessica Black v. Brentley Black, from Clark County Circuit Court.

CV-14-668. Owen Kelly v. Mandy Kelly, from Washington County Circuit Court.

CV-14-815. James H. Randolph, Jr. v. Staffmark, New Hampshire Insurance Company, Avizent, Americold Logistics, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CR-14-556. Dontel Spraglin v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for attorney's fees.

CR-14-570. Donald Campbell v. State of Arkansas, from Hot Spring County Circuit Court. Appellee's motion to dismiss appeal.

CR-14-677. Rokosi Humphrey v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of John H. Bradley for attorney's fees.

CR-14-714. Darrell Robertson v. State of Arkansas, from Conway County Circuit Court. Motion of Amos J. Richards for attorney's fees.

CR-14-823. Steven Andrew Curtis v. State of Arkansas, from Grant County Circuit Court. Motion of Gregory Crain for attorney's fees.

CR-14-839. Kyle Dale Sparkman v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Aubrey L. Barr for attorney's fees.

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MOTIONS SUBMITTED

CR-14-920. Christopher Brickey v. State of Arkansas, from Grant County Circuit Court. Motion of Philip C Wilson for attorney's fees.

CR-14-1036. Emilio Gutierrez v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion to settle and supplement the record.

CR-15-9. Zackery Warren Shadwick v. State of Arkansas, from Johnson County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CR-15-84. Tristan Roger Travis v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to supplement the record on appeal.

CR-15-214. Amanda Thacker v. State of Arkansas, from Jefferson County Circuit Court. Motion for rule on clerk or in the alternative motion to file brief even if it is deemed belated or motion for extension of time to file appellant's brief.

CV-14-63. Thomas L. Lagios v. Kenneth Mitchell Goldman and Deanne Fields Goldman, from Columbia County Circuit Court. Appellees' motion for continuance.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, LLC, from Mississippi County Circuit Court, Osceola District. Appellants' motion for extension of time to file reply brief.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, LLC, from Mississippi County Circuit Court, Osceola District. Amended motion for extension of time to file reply brief and motion to expand page limits for reply brief.

CV-14-935. Clay V. Jackson v. Charles Brooks Company, Inc., et al., from the Arkansas Workers' Compensation Commission. Pro se petition to hold appellees in contempt.

CV-14-1120. Jordyn Billingsley v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court. Appellant's motion to place missing pages in appellant's opening brief.

CV-14-1126. Leece Properties, LLC, et al. v. Scott Vise and Jonathan D. Jones, from Garland County Circuit Court. Motion of appellee Scott Vise for sanctions and for an order finding this appeal is being prosecuted for purpose of delay.

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MOTIONS SUBMITTED

CV-15-5. Dianna K. Brown v. Wal-Mart Stores, Inc., from Craighead County Circuit Court, Western District. Pro se motion to compel.

CV-15-82. University of Arkansas at Pine Bluff Public Employee Claims Division v. Ronnie Whitty, from the Arkansas Workers' Compensation Commission. Appellant's motion to supplement the record and to file an amended addendum.

CV-15-100. Adam Wozniak, Dianna Owen, and Carmel Kruse v. The Abraham Family Trust, Simon Abraham, M.D., and Annie Abraham, Trustees, from Baxter County Circuit Court. Appellants' motion to remand or for extension of brief time.

CV-15-109. Timothy Hollis v. Fayetteville School District No. 1 et al., from Washington County Circuit Court. Appellant's motion to supplement record on appeal.

CV-15-123. Alicia Dawn Neumann v. Lloyd Draughon Smith, from Miller County Circuit Court. Appellant's motion to supplement the record and stay brief time.

CV-15-134. Anna J. Belk v. William S. Belk, Jr., et al., from Perry County Circuit Court. Appellant's petition to supplement record on appeal and request to stay briefing schedule pending supplementation of record.

CV-15-144. Anya Brown v. Arkansas Department of Human Services and Minor Children, from Phillips County Circuit Court. Appellant's motion to correct the record and to stay briefing schedule.

CV-15-163. Gary Howard, as the Administrator of the Estate of Odis Howard, Deceased v. Lauren Adams et al., from Benton County Circuit Court. Appellant's motion for stay or for supersedeas bond.

CV-15-169. Emily Smithee v. Arkansas Department of Human Services and Minor Children, from Clay County Circuit Court. Appellant's motion to correct the record and to stay briefing schedule.

E-13-819. Trucks For You, Inc. v. Director, Department of Workforce Services, and Luther Williams, from the Arkansas Board of Review. Appellant's motion for belated brief.

E-15-10. Brock Weast v. Director, Department of Workforce Services, et al., from the Arkansas Board of Review. Pro se motion to add evidence.

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CASES SUBMITTED

CR-13-313. Antwan Lavon Fowler v. State of Arkansas, from Faulkner County Circuit Court.

CR-13-1094. Moses A. Kimmons v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-859. Robert Lavelle Davis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-14-873. Dylan Massey v. State of Arkansas, from Arkansas County Circuit Court, Southern District.

CV-14-72. Jennifer Steele v. John Lyon, from Pulaski County Circuit Court, Twelfth Division.

CV-14-379. Harold L. Sudbury, Jr. v. Rosalind Sudbury, from Mississippi County Circuit Court, Chickasawba District.

CV-14-734. Michael A. Hayes v. Sandra Hayes Otto, from Pulaski County Circuit Court, Fourteenth Division.

CV-14-905. Gary Steve Lloyd v. Pier West Property Owners Association et al., from Garland County Circuit Court.

CV-14-907. Charles Basham and Ashley Basham v. Arkansas Department of Human Services and Minor Child, from Miller County Circuit Court.

CV-14-967. Mark Lamb v. Angela Lamb Rodriguez, from Sebastian County Circuit Court, Fort Smith District.

CV-14-1001. Riley Vernon McFalls and Linda Sue McFalls v. Ralph Crenshaw and Donna Crenshaw, from White County Circuit Court.

CV-14-1012. M.J. v. State of Arkansas, from Benton County Circuit Court.

The following cases are appeals from the Arkansas Board of Review.

E-14-775. Ronnie Romine v. Director et al.

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E-14-776. Sandy Peters v. Director et al.

E-14-777. Alicia Holland v. Director et al.

E-14-778. Robert Halford v. Director et al.

E-14-779. Bonnie Mulkey v. Director et al.

E-14-780. Katherine Morris v. Director et al.

E-14-781. Tracey Cheney v. Director et al.

E-14-782. Andre Bell v. Director et al.

E-14-783. Diane Morris v. Director et al.

E-14-784. James Newton v. Director et al.

E-14-785. Charles Hancock v. Director et al.

E-14-786. Cassandra Zimmerman v. Director et al.

E-14-787. Warren E. Hooks, Jr. v. Director et al.

E-14-788. Christopher Summers v. Director et al.

E-14-791. Glen Edom v. Director et al.

E-14-792. Laurie Waller v. Director et al.

E-14-793. Richard White, Jr. v. Director et al.

E-14-795. Helen Bennett v. Director et al.

E-14-796. Daniel Holada v. Director et al.

E-14-797. Christine O'Neill v. Director et al.

E-14-798. Willie Dixon v. Director et al.

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CASES SUBMITTED

E-14-799. Timothy Joyce v. Director et al.

E-14-800. Leroy Cobb v. Director et al.

E-14-801. David Ealy v. Director et al.

E-14-802. Shirear McKinley v. Director et al.

E-14-803. Shakendria Baker v. Director et al.

E-14-804. Elizabeth Fenner v. Director et al.

E-14-805. Kirk Rankin v. Director et al.

E-14-806. Leslie Latham v. Director et al.

E-14-807. Leslie Latham v. Director et al.

E-14-808. Joyce Jenkins v. Director et al.

E-14-809. Darryl Coffey v. Director et al.

E-14-810. Ramon Gonzalez v. Director et al.

E-14-811. Edith Evans v. Director et al.

E-14-812. Jerry Lunningham v. Director et al.

E-14-813. Diana Jones v. Director et al.

E-14-814. Walter Parker v. Director et al.

E-14-815. Alisha Williams v. Director et al.

E-14-816. Stanley Massey v. Director et al.

E-14-817. Terry Schaecher v. Director et al.

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CASES SUBMITTED

E-14-818. Earlene Williams v. Director et al.

E-14-819. Stephanie Johnson v. Director et al.

E-14-820. Christine Rowe v. Director et al.

E-14-821. Steven Petty v. Director et al.

E-14-822. Teryl Finley v. Director et al.

E-14-823. Kristen Haney v. Director et al.

E-14-824. Barbara Banks v. Director et al.

E-14-825. Brittany Strickland v. Director et al.